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Attorneys for Plaintiff
Northstar Financial Advisors, Inc.

[Additional Counsel Appear on Signature Page]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NORTHSTAR FINANCIAL ADVISORS,
INC., on Behalf of Itself and All Others
Similarly Situated,

Plaintiff,

v.

SCHWAB INVESTMENTS; and
MARIANN BYERWALTER, DONALD F.
DORWARD, WILLIAM A. HASLER,
ROBERT G. HOLMES, GERALD B.
SMITH, DONALD R. STEPHENS,
MICHAEL W. WILSEY, CHARLES R.
SCHWAB, RANDALL W. MERK,
JOSEPH H. WENDER and JOHN F.
COGAN as TRUSTEES OF SCHWAB
INVESTMENTS; and CHARLES
SCHWAB INVESTMENT
MANAGEMENT, INC.,

Defendants.

Case No. C 08-04119 (LHK)

CLASS ACTION

**STIPULATION EXTENDING DATE TO
FILE THIRD AMENDED COMPLAINT
AND MODIFYING BRIEFING
SCHEDULE**

[C 08-04119 (LHK)] STIPULATION EXTENDING DATE TO FILE THIRD AMENDED COMPLAINT AND
MODIFYING BRIEFING SCHEDULE

1 Plaintiff Northstar Financial Advisors, Inc. ("Northstar") and defendants Schwab
2 Investments, Mariann Byerwalter, Donald F. Dorward, William A. Hasler, Robert G. Holmes,
3 Gerald B. Smith, Donald R. Stephens, Michael W. Wilsey, Charles R. Schwab, Randall W. Merk,
4 Joseph H. Wender and John F. Cogan as Trustees of Schwab Investments; and Charles Schwab
5 Investment Management, Inc. ("Defendants"), by and through their counsel, hereby jointly submit a
6 stipulated request for an order extending Northstar's date to file the Third Amended Class Action
7 Complaint and to establish a briefing schedule for Defendants' motion to dismiss that Complaint.

8 **RECITALS**

9 **WHEREAS**, on September 29, 2010, plaintiff filed its Second Amended Complaint
10 ("SAC"), and on November 10, 2011, Defendants filed their Motion to Dismiss the Second
11 Amended Complaint;

12 **WHEREAS**, on March 2, 2011, the Court issued its Corrected Order Granting in Part and
13 Denying in Part Defendants' Motion to Dismiss the SAC [Docket #175] which, among other
14 matters, directed Plaintiff to file a Third Amended Complaint ("TAC") by no later than March 22,
15 2011;

16 **WHEREAS**, counsel for defendants has requested a two-week extension to respond to the
17 TAC on briefing for scheduling reasons; and, in response, counsel for plaintiff has requested a one-
18 week extension within which to file its TAC;

19 **WHEREAS**, plaintiff shall file its TAC by no later than March 29, 2011, and counsel for
20 defendants will serve and file any response to the TAC by no later than April 25, 2011; and

21 **WHEREAS**, defendants Schwab Investments, Charles Schwab & Co., Inc., and Charles
22 Schwab Investment Management, Inc., through their prior counsel, have previously requested and
23 entered into two stipulations with counsel for plaintiff seeking to extend time [Docket Nos. 8 and
24 85]; and the parties mutually agreed to one scheduling stipulation [Docket # 121].
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STIPULATION

IT IS HEREBY STIPULATED, subject to the Court's approval, by and between counsel for Northstar and Defendants:

1. The last day for Plaintiff to file its Third Amended Complaint is March 29, 2011; and
2. Defendants shall respond by no later than April 25, 2011.

Dated: March 18, 2011

Respectfully submitted,

BERMAN DEVALERIO

By: /s/ Christopher T. Heffelfinger
Christopher T. Heffelfinger

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*Attorneys for Plaintiff Northstar Financial
Advisors, Inc.*

1 Dated: March 18, 2011

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SULLIVAN, LLP**

2
3 By: /s/ Karin Kramer
4 Karin Kramer

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17 *Attorneys for defendants Schwab Investments,
18 Mariann Byerwalter, Donald F. Dorward,
19 William A. Hasler, Robert G. Holmes, Gerald B.
20 Smith, Donald R. Stephens, Michael W. Wilsey,
21 Charles R. Schwab, Randall W. Merk, Joseph H.
22 Wender and John F. Cogan as Trustees of
23 Schwab Investments, and Charles Schwab
24 Investment Management, Inc.*

25 **E-FILING ATTESTATION**

26 Pursuant to General Order No. 45, Section X(B) regarding signatures, Christopher T.
27 Heffelfinger hereby attests that concurrence in the filing of this document has been obtained.

28 By: /s/ Christopher T. Heffelfinger
Christopher T. Heffelfinger

ORDER

Pursuant to stipulation, IT IS SO ORDERED.

29 Dated: March 21, 2011


HONORABLE LUCY KOH
UNITED STATES DISTRICT JUDGE